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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hegenauer et al.

Application No. 10/722,368

Filed: November 24, 2003

Confirmation No. 4632

For: COMPOSITIONS, METHODS, AND KITS
FOR WEIGHT LOSS AND INHIBITING THE
LOSS OF LEAN BODY MASS

Examiner: Susan D. Coe

Art Unit: 1655

Attorney Reference No. 3790-66390-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Kevin M. Hayes

Date Mailed February 15, 2006

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Supplemental Reply to Restriction Requirement and Species Election Requirement
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

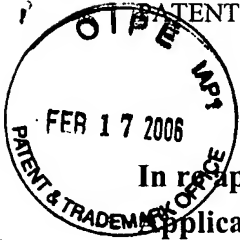
By

Kevin M. Hayes

Registration No. 54,158

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

cc: Client
Docketing



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**SUPPLEMENTAL REPLY TO RESTRICTION REQUIREMENT AND SPECIES ELECTION
REQUIREMENT**

This is a supplemental reply to the Restriction Requirement and Species Election Requirement ("Restriction Requirement") dated November 22, 2005. Applicants filed their initial reply on December 22, 2005. Applicants file this supplemental reply to amend their species election, as discussed with the Examiner on February 9, 2006.

In response to the request for election of species, Applicants withdraw their election of the previous provisionally elected species and instead provisionally elect the species that additionally comprises corosolic acid, with traverse. Claims 1-18 and 75-88 read on the elected species.

Remarks begin on page 2.